

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **MEI Machine Tool Company v Bend Toolings Inc**
Docket No. **288956**
L.C. No. **05-012724 CZ**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal filed on November 14, 2008, is DISMISSED for lack of jurisdiction. The judgment of September 5, 2008, is the final judgment under MCR 7.202(6)(a)(i) because it is the first order disposing of the claims of the parties. Defendants were required to either file a claim of appeal in the Court of Appeals or a motion in the trial court no later than September 26, 2008. See MCR 7.204(A)(1)(a) and (b). Nothing was filed by September 26, 2008. The motion filed October 13, 2008 did not extend the time to file the claim of appeal because it was not filed within 21 days of September 5, 2008, and the order of November 7, 2008 is not a final order under MCR 7.202(6)(a)(i) because it was not the first order disposing of the claims of the parties.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 07 2009

Date

Sandra Schultz Mengel
Chief Clerk